

REMARKS / ARGUMENTS

This response is intended to be fully responsive to the above referenced office action. The Examiner has allowed claims 27-36 and 38, initially rejected claims 1-3, 5, 9, 39-40, and only objected to claims 4, 37, 41-43 as containing allowable subject matter if rewritten in independent format and an antecedent adjustment is made in claim 37. Claims 6-8, 10-26 stand withdrawn, where independent claim 20 and its dependent claims 21-26 were drawn to a different invention.

The rights to the subject matter of this application have been very recently purchased by a new assignee as part of a larger acquisition. In the interest of timing during a transition phase, the new assignee has elected for business reasons to accept the allowed claims and place the objected claims in a condition for allowance. Such acceptance is made without any prejudice to the assignee to file continuations and divisional applications at a later time.

More specifically, the subject matter of allowed claim 4 (and claim 3 from which claim 4 depends) has been included into the base independent claim 1. Thus, all other claims that depend from claim 1, including any withdrawn claims, are believed to be in a condition for allowance for that reason and for independent other reasons.

Claim 37, dependent on allowed claim 27, has been amended to make the requested antecedent adjustment using terms consistent with other claims and is believed to be allowable.

Claims 41-42 have each been rewritten in independent format incorporating the subject matter of independent claim 39 from which they each depend. Claim 43 has been amended to depend from now independent claim 42.

Claims 3-4, 20-26, 39-40 have been cancelled without prejudice.

OTHER AMENDMENTS

For reasons unrelated to any amendments made above in direct relation to a claim rejection, Applicant has chosen to make the following amendments to more particularly point and distinctly claim certain aspects of the disclosed inventions. Claim 19 is amended to insert the word "in a" for readability. These amendments may or may not be narrowing in scope and are not being made for patentability reasons.

CONCLUSION

Claims 1-43 are currently pending in this application, with claims 1-3, 5, 9, 39-40 being initially rejected, claims 4, 37, 41-43 being objected to, and claims 27-36, 38 being allowed, with claims 6-8, 10-26 being currently withdrawn.

Claims 1, 19, 37, 41-43 have been amended, and claims 3- 4, 20-26, and 39-40 have been cancelled without prejudice herein. The Applicants submit that each pending claim presented herein is patentable. A timely notice of allowance is respectfully requested.

The Commissioner is authorized to charge to deposit account 12-1322/502771-00004 any fees necessary to make this response and related papers, if any, timely and effective.

Applicant thanks the Examiner for his consideration and effort on this file. If there are any questions or if additional information is needed, the Examiner is invited to telephone or email the undersigned.

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Respectfully submitted,

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